United States District Court
Southern District of Texas

ENTERED

April 27, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE KBR, INC. SECURITIES LITIGATION

Case No. 4:14-CV-01287 Judge Lee H. Rosenthal

LITIC

[PROPOSED]ORDER GRANTING MOTION TO DISBURSE REMAINING ATTORNEYS' FEES PREVIOUSLY AWARDED BY THE COURT

WHEREAS, on August 24, 2017, following notice to the Class and a hearing, the Court approved the Settlement of the above-captioned action (*see* Final Order and Judgment (ECF No. 156)) and approved the application by Court-appointed Class Counsel Labaton Sucharow LLP and Bernstein Litowitz Berger & Grossmann LLP (together, "Class Counsel") for an award of attorneys' fees and payment of litigation expenses (*see* Order Awarding Attorneys' Fees and Payment of Litigation Expenses (ECF No. 154) (the "Fee and Expense Order")):

WHEREAS, pursuant to the Fee and Expense Order, 50% of the Court-awarded attorneys' fees and 100% of the approved litigation expenses were payable to Plaintiffs' Counsel immediately upon entry of the Fee and Expense Order, with the remaining 50% of the awarded fees payable "upon submission of an accounting to the Court showing that at least 90% of the Net Settlement Fund has been distributed to Authorized Claimants;"

WHEREAS, on December 12, 2017, the Court entered the Order Approving Distribution (ECF No. 161), which authorized disbursement of 100% of the Net Settlement Fund to Authorized Claimants;

WHEREAS, Class Counsel have submitted the Declaration of Alexander Villanova Regarding Distribution of the Net Settlement Fund, dated April 25, 2018 (the "Villanova

Declaration" or "Villanova Decl."), with an accounting, attached as Exhibit A, concerning the distribution of the proceeds of the Settlement to Authorized Claimants (the "Accounting"), and have requested authorization to pay the remainder of the attorneys' fees this Court previously awarded;

WHEREAS, 100% of the Net Settlement Fund was disbursed to Authorized Claimants beginning on December 29, 2017, and the Accounting submitted to the Court reports that more than 97% of the payments from the Net Settlement Fund have now been negotiated by Authorized Claimants; and

WHEREAS, the Court has considered all the materials and arguments submitted in support of the motion, and good cause appearing;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- 1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement, dated as of April 5, 2017 (ECF No. 134-2), and the Villanova Declaration, and all terms used herein shall have the same meanings as set forth in the Stipulation or in the Villanova Declaration.
- 2. Class Counsel's motion requesting authorization to pay the remainder of the attorneys' fees this Court previously awarded is **APPROVED**.
- 3. The balance of the Court-awarded attorneys' fees, which totals \$1,326,474.09, plus any additional interest earned on that amount, shall be paid to Plaintiffs' Counsel upon entry of this Order.
- 4. This Court retains jurisdiction to consider any further applications concerning the administration of the Net Settlement Fund, and such other and further relief as this Court deems appropriate.

SO ORDERED:

Dated: **April 27**, 2018

The Honorable Lee H. Rosenthal United States District Judge